

HOUSE No. 2669

By Mr. Marzilli of Arlington, petition of J. James Marzilli, Jr., and others for legislation to regulate trash collection hours in business, commercial and industrial areas. Public Health.

The Commonwealth of Massachusetts

PETITION OF:

J. James Marzilli, Jr. Martha M. Walz
David Paul Linsky

In the Year Two Thousand and Five.

AN ACT TO ALLOW THE REGULATION OF TRASH COLLECTION HOURS IN
BUSINESS, COMMERCIAL AND RESIDENTIAL AREAS.

*Be it enacted by the Senate and House of Representatives in General
Court assembled, and by the authority of the same, as follows:*

- 1 Chapter 111 is hereby amended by striking out section 31A, as
2 appearing in the 2002 Official Edition, and inserting in place
3 thereof the following section:—
4 Section 31A. (a) A person shall not remove or transport
5 garbage or refuse through the streets of a city or town without
6 applying for and obtaining a permit from the board of health of
7 the city or town.
8 (b) At the end of a calendar year, a permit holder who intends
9 to continue removing and transporting garbage or refuse in the
10 succeeding year shall apply for renewal of the permit. A person
11 shall not transfer a permit without the approval of the board that
12 issued the permit.
13 (c) A board shall specify the form and required information for
14 permit applications. A board may by rule or regulation restrict the
15 hours of the day when a permit holder may collect garbage or
16 refuse in areas zoned for residential, business, commercial or
17 industrial use.

18 (d) A person may, without a permit, transport garbage or refuse
19 through the streets of a city or town in which the substances were
20 not collected. A person involved in such transport shall register
21 with the board of health of the city or town, and shall transport the
22 substances in accordance with reasonable regulations that the
23 board of health may establish.

24 (c) A city or town's board of health shall not regulate motor
25 vehicles owned by the commonwealth or any of its political subdi-
26 visions or motor vehicles engaged under contract with the com-
27 monwealth in the transportation of garbage or refuse. A city or
28 town may recommend to the department of highways, in writing,
29 an alternate route of travel for these motor vehicles to minimize or
30 abate the noise or nuisance incident to travel. The department
31 shall consider alterations or changes in the travel routes of these
32 motor vehicles in an effort to minimize noise or nuisance.